

EXHIBIT "D"



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COUNTY OF MAUI
WAILUKU, HI 96793

June 10, 2008

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SERI Case No. M5324'01
Civil Case No. 04-00743 DAE-LEK
Victim: Vilmar Cabaccang
Suspects: Taryn Christian
James Burkhardt
Other: Serena Seidell

Peter A. Hanano, DPA
Department of the Prosecuting Attorney
County of Maui
150 S. High Street
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SECOND ANALYTICAL REPORT

On October 10th 2007, fourteen items of evidence were received in five separate boxes from Evidence Specialist Anthony Earles, Maui Police Department, via Federal Express (#s 8452 4650 6820, 6875, 6864, 6853 and 6831). On April 15th 2008, one further item of evidence was received from Anthony Earles via Federal Express (#8654 0222 8159). An Analytical Report was issued on May 9th 2008. The following items were analyzed as follows:

ITEM 8 BASEBALL CAP (#2)

Four further areas from the brim of the cap were extracted for DNA content, amplified by PCR and subjected to genetic testing. The results are in the table below.

ITEM 15 KNIFE SHEATH

This consists of a heavy duty black fabric knife sheath with a belt loop and a metal belt clip. There was no obvious staining on the sheath except for a small area on the back of the sheath next to the belt clip. This staining gave a positive presumptive test for blood and the area was designated 15-4. Three areas of the sheath were selected for examination for the presence of DNA from the owner or handler. Area 15-1 is the flap which holds the knife (when present) in place. Area 15-2 is the area just inside the belt loop and 15-3 is the metal belt clip. All three areas, together with area 15-4, were swabbed separately with sterile water and the swabs were extracted for DNA content. The resulting extracts were amplified by PCR and subjected to genetic marker analysis. The results are in the table below. After analyzing the results a further examination was conducted on the sheath. The belt loop was cut open and inspected using low power microscopy, revealing apparent cellular debris. The area was swabbed (15-5) and two areas sampled by cutting. Area 15-6 is the right front side of the loop and 15-7, the right back side of the loop. All three samples were extracted for DNA content, amplified by PCR and subjected to genetic marker analysis. The results are tabulated below.

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TABLE OF RESULTS

ITEM	DESCRIPTION	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D18S317	D16S529	D2S1328	D19S433	*VWA	TPOX	D18S51	AMEL	D5S818	FGA
9	Reference From - Sereia Sedell	10,13	27,28	8,11	10,11	14,16	7,9,3	12,13	10,11	20>25	13>14	14,16	8	14,15	X,X	11,12	19,24
11	Reference From - Taryn Christian	13,14	30>33,2	12	10,11	16,17	6,9,3	11,13	11,14	18,24	14,14,2	17,19	8,11	17	X,Y	12	20,21
14	Reference From - Vilmar Cabecang	14,16	30	9,13	9[11]	16,18	8,9	10,11	10,11	[20,24]	13,2,16,2	15,19	8>11	14[20]	X,Y	11	19
12	Hair Reference - James Hines	13,15	28	11[14]	[12]15	15,16	7>9,3	12<13	9,11	[18,19]	15,2	15,19	11	19	X,Y	12	24,25
8-7	Baseball Cap - Brim	14[10] 11,13 (16)	NA	NA	NA	16>18	NA	NA	NA	NA	13,2,16,2	NA	NA	NA	X(Y)	11	NA
8-8	Baseball Cap - Brim	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
8-9	Baseball Cap - Brim	NA	NA	NA	NA	[18]	NA	NA	[11]	NA	13,2,16,2	NA	NA	NA	[X,Y]	NA	NA
8-10	Baseball Cap - Brim	[13]	NA	NA	NA	[16]	NA	NA	NA	NA	13,2> 16,2	NA	NA	NA	X,Y	[11]	NA
15-1	Knife Sheath - Clasp	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
15-2	Knife Sheath - Loop	13[14]	NA	NA	NA	[15,16, 17]	NA	NA	NA	NA	14,14,2> 13	17[14]	NA	NA	X(Y)	12	NA
15-3	Knife Sheath - Clip	14	NA	NA	NA	NA	NA	NA	[11]	NA	[14,2]	NA	NA	NA	NA	NA	NA
15-4	Knife Sheath - Strap	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
15-5	Knife Sheath - Rt Loop	13,14	30 [29,33,2]	NA	NA	15,16,17 (18)	7[6,9,3]	13[14]	NA	NA	14>13, 14,2	17[14]	[8,11]	[10]	X(Y)	12[11] [10]	[22]
15-6	Knife Sheath - Rt Rt Loop	13,14	32,2, 33,2]	[12]	NA	16, 17>15, 18	6[7,9, 9,3]	11>10 [12,13]	NA	[18]	14>13, 14,2 (13,2)	14,17> 19[16]	[10]	NA	X(Y)	12>11 [10]	[20, 21]
15-7	Knife Sheath - Bk Rt Loop	13>14 [16]	30[32,2]	[8,11,12]	[11,12]	15, 16>17 (18)	6,9,3[8]	[11,12]	9[14]	NA	14>13, 14,2	14>17, 19[16]	9[8]	[17]	X>Y	12[11]	[20, 21,24]
	Extraction Blanks	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Key: NA = No activity.
() = Weak results for types in parenthesis.
> = Greater than.
XX = Female DNA.
XY = Male DNA.

[] = Alleles in brackets are between 50 and 149 RFU. Because of the low activity of these alleles, it may not be possible to determine all of the genotypes at this locus.
NR = No Results.

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EXPLANATION & INTERPRETATION

See previous report


CONCLUSIONS

1. The blood staining on the Baseball Cap (item 8) area 8-7 is severely degraded and indicates a mixture. Vilmar Cabaccang cannot be excluded as a donor to the mixture.
2. Area 8-8 of the Baseball Cap produced no results and areas 8-9 and 8-10 revealed only trace amounts of DNA. So no conclusion as to the source can be drawn.
3. Little or no DNA activity was detected on areas 15-1, 15-3 or 15-4 of the knife sheath (item 15).
4. The DNA obtained from the other areas from the Knife Sheath (15-2, 15-5, 15-6 and 15-7) are mixtures. Serena Seidell, Vilmar Cabaccang and James Burkhart are all excluded as being a donor to the mixtures. Taryn Christian is a potential donor to the mixture. Alternatively, one person out of 40,000 individuals (or 0.0025%) in the general population could be a donor to the DNA on the knife sheath.

EVIDENCE DISPOSITION

All items of evidence were returned to the Maui Police Department on May 9th 2008. Residual DNA extracts and samples of reference materials will be retained at SERI.

SEROLOGICAL RESEARCH INSTITUTE



Brian Wraxall
Chief Forensic Serologist